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UNCLAS SECTION 01 OF 06 DHAKA 000304

SIPDIS

DEPT FOR CA/FPP
DEPT PASS TO KCC WILLIAMSBURG KY
POSTS FOR FRAUD PREVENTION MANAGERS

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TAGS: [KFRD](#) [CVIS](#) [CPAS](#) [CMGT](#) [ASEC](#) [BG](#)
SUBJECT: FRAUD SUMMARY - DHAKA

REF: (A) 08 STATE 74840

1A. COUNTRY CONDITIONS:

11. Bangladesh is a high fraud post. In CY 2008, Dhaka's FPU investigated 969 cases, not/not counting cases referred for DNA analysis. Infrastructure, especially road infrastructure, is poor outside of main cities and towns. This combined with wide-spread seasonal flooding and frequent natural disasters, makes scheduling and execution of fraud field investigations challenging.

12. Bangladesh is a developing country of more than 150 million people living in an area roughly the size of Wisconsin. The areas around the capital city, Dhaka, and around Comilla are the most densely populated. More than a third of the population lives below the poverty line, and the current per capita income is about \$554. More than 60% of the population is involved in agriculture which accounts for about 19% of GDP. The national growth rate of about five percent for the past decade has not been sufficient to reduce the level of poverty for the majority of Bangladeshis. The global economic slowdown is starting to reduce the opportunities for Bangladeshis to find employment abroad, and will likely reduce Bangladesh's export earnings. Most notably, Malaysia recently revoked the work related visas for over 55,000 Bangladeshis.

13. The vast majority of Bangladeshis are culturally Bengali, although there are also non-Bengali ethnic groups among the tribal groups. 90 percent of the population is Muslim, 7 percent are Hindu, and the remaining 3 percent include Christians, Buddhists, and other religions.

14. Bangladesh is a parliamentary democracy. On December 29, 2008, the Awami league (AL), led by Sheikh Hasina Wazed, won 230 of 299 parliamentary seats in elections considered by international and domestic observers to be both free, fair, and credible. The elections and the peaceful transfer of power that followed ended two years of rule by a caretaker government under a state of emergency.

1B. NIV FRAUD:

15. Although Dhaka is a high-fraud Post, window fraud on the NIV line is generally unsophisticated, obvious, and properly frustrated with a 214(b) refusal. Given that almost all documents are considered unreliable, officers rely on effective lines of questioning during interviews rather than on documentation. In order to cut down on cases referred to FPU, the line officers generally refer a case only when it contains traits of a possible new fraud trend or indication of visa fraud ring involvement.

16. On several occasions over the last six months, we have seen an

increase in walk-in individuals who want to verify that their visas are genuine. These applicants have similar stories of being contacted by visa agents with stories of visas available for a steep price to travel to the U.S. for employment as "fisherman" or something similar. In one instance, an applicant sold his house in order to obtain one of these visas. All of the walk-ins have produced what appears to be a computer manipulated color printout of a visa foil with mismatched data from a number of posts (i.e., foil number from Cairo/issuing post on foil is Cotonou.). The visa classification is either B1/2 or H1B. Section L of this cable contains additional information regarding our coordination of efforts with local authorities on these cases.

¶7. Though Dhaka is a low-volume H1B post, most of our serious NIV fraud is found in the H1B category. We find our applicants are generally qualified but the petitioning company is "benching" applicants. We are also encountering fraud with H4 applicants. Since Bangladesh has a tradition of arranged marriages, it is not uncommon for a wife to apply for an H4 visa, who has literally met her husband for the first time on their wedding day. It is difficult to differentiate between culturally legitimate arranged marriages and marriages strictly for immigration purposes. This problem is common with IV and DV cases as well and is discussed more fully in IV section below.

¶8. In the past, applicants in the R1 category were chronically problematic due to nebulous qualifications and employment histories. The implementation of the petition requirement for R1 applications has drastically reduced the total number of applicants under this category with no new cases referred to FPU during this period.

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¶C. IV FRAUD:

¶9. IV fraud consumes the majority of available FPU resources. Petitioners and applicants are well aware of our efforts, including our methods and limitations, to combat fraud. Consequently, we see many instances where a petitioner petitions for multiple family preference applicants but holds one or more of these cases at NVC by not paying fees. This is done in order to let fraudulent cases involving fake spouses or over-aged children clear post first before legitimate cases are processed. Our aggressive investigation policy involving all cross-reference cases usually pays dividends. Recently, for example, we were able to nail down four cases of F2B marital status fraud when an applicant not only admitted she was married but also provided information regarding two of her siblings in cases that were not at post yet (Being held at NVC through non-payment of fees).

¶10. We see a significant amount of age fraud among applicants in age dependent visa categories (especially F2A applicants and F4 derivatives) and marriage fraud in all spouse-related visa classifications. With the almost complete lack of security of most Bangladeshi civil documents, it is very easy for applicants to obtain legitimate documents with false information to support their relationship claims. FPU investigations have uncovered many instances where responsible officials were aware that the documents they were issuing contained fraudulent information. Since birth certificates are generally not reliable and most births are registered only a few months before a petition is filed, we generally rely on secondary documents, such as school certificates, to corroborate the applicant's claimed date of birth. The local school system is the most accurate recordkeeping entity in Bangladesh with respect to dates of birth. The FPU is very successful on investigations initiated to uncover age fraud, either in the form of forged certificates or certificates with fraudulent information not supported by the school's records. Often, a school administrator issues an official document with falsified data, either as a favor to the applicant, or as a result of heavy pressure from an outside entity, e.g. family in the U.S. (NOTE - We recently revised our Bone Age Testing (BAT) procedures to drastically reduce the number of BAT tests done. Bat was

duplicative as a field investigation is required regardless of BAT results. Also, BAT findings are controversial in regards to accuracy.)

¶11. In IV cases, marital status fraud is common in F2A and F2B cases. Recent numbers indicate a fifty percent fraud rate where an applicant hid an existing spouse in order to qualify for an alternative visa category with a current priority date. Neighborhood investigations are used to verify marital status. Although both time and labor intensive, they are very effective at uncovering and confirming fraud.

¶12. The tradition of arranged marriages also poses difficulties for adjudicators in CR1 and K visa cases. Since it is not unusual for a spouse, especially a new wife, to know almost nothing about her partner, we rely heavily on secondary evidence to establish the bona fides of the marriage. We ask for photos, videos, invitations, cards, etc., to prove the relationship is valid. The lack of secondary evidence can be a strong indicator that the applicants are perpetrating marriage fraud.

¶13. The FPM and adjudicating officers are jointly developing standardized criteria for referring CR1 and K visa cases to the FPU. This is a difficult task as the case files and documentation of a marriage for immigration purposes and a legitimately arranged marriage are sometimes very similar.

¶14. Post receives a number of requests each year from DHS for document verification and field investigations, either from adjudicators in the various service centers or in CIS field offices. In 2008, we completed five investigations for DHS. 27 DHS cases are still pending.

¶D. DV FRAUD:

¶15. Bangladeshis are enthusiastic participants in the DV program. Last year, over four million Bangladeshis submitted entries, and Bangladesh perennially ranks in the top five for DV winners. Corrupt agents and cyber caf operators (hereafter referred to as DV agents) are equally enthusiastic about the DV program. Many Bangladeshis do not have access to the Internet or have limited English language skills, necessitating the use of cyber cafes and agents for online data entry. DV agents manipulate the entries by substituting an address under their control for the applicants and

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change the marital status to single instead of married. Once the address is changed, the applicant is effectively under the control of the DV agent. Once received, winning letters are held for ransom by the agent. The applicant is informed that he/she may receive the letter for a very large cash payment or, in lieu of payment, by adding a fake spouse to the application. Every year, post conducts outreach to educate potential applicants of the pitfalls of DV agents and encourages the applicants to take control of their application process as much as possible.

¶16. As previously discussed, the tradition of arranged marriages makes it extremely difficult to distinguish between legitimate arranged marriages and marriages solely for immigration purposes. Again, we rely on the usual array of secondary evidence to establish that a genuine marriage exists.

¶17. Occupational qualification fraud is fairly common and the easiest to detect. Using the O-Net standards, adjudicators ask detailed questions about the applicant's usual work and can usually quickly separate those who qualify from those with inflated their qualifications.

¶18. Counterfeit, improvidently issued, and/or altered school certificates are also commonplace. Post has extensive exemplar files of genuine and fake Secondary School Certificates (SSC) and Higher Secondary Certificates (HSC) from all the regional Boards of Education. These are available in both hard copy and electronic soft copy to all members of the Consular staff.

¶19. In October 2005, the Ministry of Education established a website for on-line verification of educational certificates. This website allows nationwide verification of certificates issued after the computerization of Board records, generally from the mid-1990s. This has proved to be an important resource for DV adjudicators.

¶E. ACS and PASSPORT FRAUD:

¶20. We have extremely low incidence of fraud in these areas. Most suspect cases involve Consular Reports of Birth Abroad and are investigated through the use of DNA.

¶F. ADOPTION FRAUD:

¶21. Bangladesh civil law makes no provision for adoption. Islamic and Hindu practices either forbid or prohibit almost all adoptions. The only legal adoption recourse is for Bangladeshi adults to apply for an order of guardianship under the 1890 Guards and Wards Act. Only Bangladeshi natives and citizens are permitted to become guardians in this manner. In some cases, the guardianship can form the basis of an IR-4 petition. Most of our fraud involves direct transfers between family members where a relative in the US seeks to adopt a cousin or nephew/niece in order to give the child a better life in the US. The family in Bangladesh generally tries to fraudulently conceal their standard of living in order to qualify the child as an eligible orphan.

¶22. There is also a tradition of "social adoptions" in Bangladesh where families take in orphans of relatives or foundlings and raise them as their own. The parents never regularize the child's status, and the child may not be aware of his or her actual parentage. This often comes to light when DNA testing reveals that one or another child may not be eligible to receive a visa in family preference cases.

¶G. Use of DNA Testing:

¶23. Post's adjudicating officers allow applicants ample opportunity to provide sufficient evidence of relationship (EOR) during an initial interview and subsequent return interviews. However, many applicants are unable to provide adequate EOR required to establish a petitionable relationship and are requested to complete DNA testing. Post provides a letter that explicitly states any AABB certified lab that the petitioner or applicants choose can conduct the testing. The vast majority of genetic relationships are affirmed for those applicants that show up for testing. Occasionally, a principal applicant advises us that one of the derivatives in the case has recently "died" - an indication that the derivative was most likely not an immediate family member. DNA no-shows for the last 5 years average 5.5 percent. In simple terms,

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this means 121 families did not show for DNA testing during this period. Post views DNA testing as a valuable fraud deterrent.

¶H. ASYLUM and other DHS BENEFIT FRAUD:

¶24. Dhaka handles both VISAS 92 follow-to-join cases and requests for investigation in ongoing political asylum cases. Since the arrival of the current FPM in August of 2008, there have been no

VISAS 92 cases referred to FPU and only two requests from DRL for follow-up investigations of asylum cases. Historically, post has had numerous file drawers dedicated to pending asylum and follow-to-join case investigations; however, this workload has recently abated. Most likely this reduction is a direct result of FPU investigations proving a great number of these claims were bogus. We are concerned about our ability to control an investigation backlog if asylum cases reach prior year volumes.

I. Alien Smuggling, Trafficking, Organized Crime, Terrorist Level:

125. Reports from various sources in 2008 indicating Bangladeshi nationals may be probing for paths of lesser resistance into the US via South America. Sources include the Human Smuggling and Trafficking Center (HSTC) and our British counterparts. It appears Bangladeshis are exploiting lax visa issuances and, in some cases, the lack of a visa requirement, to facilitate travel to South American countries with a probable final destination of the U.S. or Canada.

126. We have not noticed an increase in the amount of Latin American travel by our applicants but adjudicating officers are aware of the reports.

J. DS Criminal Fraud Investigations:

127. Dhaka's ARSO-I and FPM have a strong working relationship and are jointly defining strategies and areas of focus for combating visa fraud. The RSO, ARSO-I, FPM, and Consular Section Chief hold bi-weekly meetings to discuss active cases, case disposition, and to coordinate efforts between the two sections. The ARSO-I also actively participates in the weekly adjudicators' meeting which serves as a round-table to discuss consular visa case issues, including visa fraud, and provides a mechanism for FPM and RSO feedback to the adjudicating officers.

K. Host Country Passport, Identity Documents, and Civil Registry:

128. The lack of secure identity and relationship documentation in Bangladesh is one of the biggest contributors to the number of cases referred to FPU for investigation. Neighborhood checks are usually the only way for FPU to establish whether or not information presented at the window is legitimate.

Passports, birth certificates, driver's licenses, National IDs, marriage and divorce certificates, and any other issuable document can all be obtained from legitimate sources in Bangladesh by non-qualified individuals. The current passport is poorly made and easily manipulated. There is very little control over biographic information contained in issued passports. Genuine passports containing totally false identity data are easily obtained. On a recent trip to the local Passport Office, members of the FPU learned that Bangladesh hoped to start producing machine readable passports in 2010.

129. Due to the inherent poor control of civil documentation, many applicants have difficulties providing credible ID. Many applicants provide nothing more than a passport and an old school ID that consists of a piece of paper with a stapled photograph. Many documents show signs of mold and severe weathering.

130. Muslim marriage and divorces are required by law to be registered at the local "Kazi" office. The registration books are simple, ordinary registry books with hand-written pages. The

registry books are usually housed in locked wall lockers with no additional physical security. Civil Government control over the Kazis is negligible. It is not uncommon for FPU investigators to find books out of sequence, pages glued in, and marriages added to the end of the registration books for any given year. Needless to say, these manipulations are highly reliable indicators of fraud.

1L. COOPERATION WITH HOST GOVERNMENT AUTHORITIES:

131. We do receive cooperation from most local government offices regarding verification of school certificates, marriage and divorce certificates, and passports. However, the court system and local police are usually uninterested in aggressively pursuing legal action against visa fraud perpetrators and corrupt visa agents. Witnesses generally fear extortion by local police and quickly lose interest in pursuing a complaint, especially when a case stagnates due to lack of police action. In one case where the ARSO-I was successful in having witnesses make a formal complaint against visa brokers, police inaction led to the perpetrators going unpunished.

1M. AREAS OF CONCERN:

132. Due to the steady increase in numbers of IV cases processed at post and the continued participation of Bangladesh in the DV program, we assume that the number of cases referred to FPU will continue at the same rate. In order to maintain the integrity of FPU operations and to protect our LES investigators from accusations of malfeasance, Dhaka sends an American FSO or EFM on all field investigations. A majority of the investigations are conducted by the FPM or the EFM Consular Assistant with occasional assistance from other FSOs from the IV or NIV units. Staffing levels are becoming a major area of concern. It is likely that our next round of funding requests will contain requests for additional positions, one FSO and one LES, to bolster FPU resources. The current FPM has overhauled FPU operations to make them more efficient and to optimize use of available resources, but the number of cases pending investigation continues to outpace the number of cases completed despite the fact that our Consular Assistant and FPM are continually on the road completing investigations.

133. The Dhaka Anti Fraud Group (AFG) is now defunct. Its demise is another area of concern. Up until last year this organization, consisting of various embassies, had met regularly to share information on fraud trends in Bangladesh. The group disbanded during the summer rotation last year due to lack of participation and lack of perceived value in the information being shared. The core English speaking nations (AFG Group Central) still informally share information via e-mail but there have been no meetings since early 2008. The FPM is in preliminary discussions with his counterparts at the Canadian and British High Commission to restart the regular meetings.

134. Due to the high incidence of fraud in past year DV visa issuances, post is seeing a number of cases involving petitioners who may have received their immigration status through fraudulent circumstances. The FPM will work with NVC and CA/VO/L/A to increase the number of these petitioner statuses reviewed by DHS.

1N. STAFFING AND TRAINING:

135. Glenn Miller - FPM
Fraud Prevention for Managers - FSI

Leonard Kovensky - Consular Assistant
Retired DHS and INS employee with 29 years of service in adjudications, deportation, investigations, and management. Mr. Kovensky also worked in CA/VO/F/P as a Liaison Officer.

Syed Reza - Senior FPU LES

PC-542 FSN Fraud Prevention Workshop FSI
PC-544 Detecting Fraudulent Documents Online
PC-128 Detecting Imposters Online

Khan, Jahan - FSN Investigator

PC-542 FSN Fraud Prevention Workshop FSI
PC-544 Detecting Fraudulent Documents Online
PC-128 Detecting Imposters Online
PC-545 Examining US Passports Online

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D' Costa, John - FSN Investigator

PC-542 FSN Fraud Prevention Workshop FSI
PC-544 Detecting Fraudulent Documents Online

Akter, Sheuly - FSN Investigator

PC-544 Detecting Fraudulent Documents Online
PC-128 Detecting Imposters Online

Huda, Nazmul - FSN Investigator

PC-544 Detecting Fraudulent Documents Online
PC-128 Detecting Imposters Online
PC-545 Examining US Passports Online

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